

**U.S. Department of the Interior
Bureau of Land Management**

**Finding of No Significant Impact
DOI-BLM-NV-L010-2012-0044-EA
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2012 Gold Rock Exploration Project Amendment

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Introduction

I have reviewed the Environmental Assessment (EA) (DOI-BLM-NV-L010-2012-0044-EA) for the 2012 Gold Rock Exploration Project Amendment, dated October 2012, and considered the project design specifications, including the stipulations attached as Appendix B to the EA and incorporated design features to the Proposed Action identified in the EA.

I have also considered the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA:

Context

The Proposed Action is located on the eastern side of the Pancake Range in White Pine County, Nevada, approximately 15 miles south of U.S. Highway 50. The location is approximately 30 miles southeast of Eureka, Nevada, and 50 miles west of Ely, Nevada (page 1-3, Section 1.5 of the EA). The project is a site-specific action directly involving 125 acres of BLM-administered public land that does not in and of itself have international, national, regional, or state-wide importance. Recreational opportunities in the area are mostly dispersed and include hunting, off-highway vehicle travel, camping, and wildlife and bird watching (page 3-50, Section 3.2.9.1 of the EA). The Proposed Action is in conformance with the 2008 *Ely District Record of Decision and Approved Resource Management Plan*. It is also consistent with the 2007 *White Pine County Public Lands Policy Plan* and the 2008 *White Pine County Land Use Plan Element to the White Pine County Master Plan* (page 1-4, Sections 1.6 and 1.7 of the EA).

Intensity

1) Impacts that may be both beneficial and adverse:

The beneficial effects of the Proposed Action consist of positive impacts to the local economy through the purchase of goods and services related to exploration activities. Expanded exploration for the Proposed Action is also beneficial by increasing the potential for a discovery of valuable minerals.

Impacts to air quality, cultural resources, paleontological resources, soil and water resources, vegetation, wildlife and special status species, visual resources, recreation, socioeconomics, transportation, hazardous materials and fire and fuels management, wild horses, rangeland health standards, livestock grazing, and prime and unique farmlands are described quantitatively (where possible) and qualitatively in the EA and would occur during the life of exploration activities (2 years) and the reclamation period (3 years) under the Proposed Action. Long term effects are addressed in Section 3 of the EA, but generally would be limited in scope because of the phased nature of the Proposed Action and the application of concurrent recontouring and reclamation. Adverse impacts would be mitigated by implementation of the Applicant-Committed Environmental Protection Measures (ACEPMs) described in Chapter 2 of the EA (pages 2-10 to 2-16) and by the mitigation measures proposed on pages 3-74, 3-75, and 3-76 and in Appendix B of the EA.

2) The degree to which the Proposed Action affects public health or safety:

Implementation of the Proposed Action would not affect public health or safety either adversely or in a beneficial manner. Impacts to air quality from fugitive dust and criteria and hazardous air pollutants would be limited to the life of exploration activities (2 years) (pages 3-4 and 3-5, Section 3.2.1.2.1 of the EA) and mitigated through the ACEPMs described in Chapter 2 of the EA. The ACEPMs would also reduce impacts to water quality by using containment barriers, plugging drill holes, and requiring best management practices for water management (page 2-12, Section 2.2.13 of the EA). ACEPMs would also limit impacts from solid and hazardous waste generated or used in the project area, which include diesel fuel, gasoline, lubricating grease, drilling mud and additives, and human waste (page 2-11, Section 2.2.13 of the EA).

3) Unique characteristics of the geographic area such as proximity to historical or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas:

There are no park lands, wild and scenic rivers, known wetland/riparian areas, or ecologically critical areas in the project area. As described in the EA on pages 3-8 and 3-9 in Section 3.2.2.1.1, potential impacts to cultural resources in the project area were identified for the Proposed Action. ACEPMs on page 2-10, Section 2.2.13 of the EA, would be implemented during project construction to minimize the potential for adverse impacts to heritage resources. Less than one acre of prime farmland if irrigated and reclaimed of excess salts and sodium was identified in the project area. If exploratory activities occur in this area of prime farmland, Midway's phasing and concurrent reclamation activities would minimize or eliminate long-term impacts. ACEPMs on page 2-13, Section 2.2.13 of the EA, would also be implemented during project construction to minimize the potential for adverse impacts to prime farmland resources.

4) The degree to which the possible effects on the quality of the human environment are likely to be highly controversial:

Chapter 5 of the EA describes public participation during the NEPA process. The BLM did not conduct public scoping for this project because of the size of the Proposed Action, the relatively routine nature of the proposal, and the lack of public comments during the 2011 PoO EA process (see BLM NEPA Handbook H-1790-1). Formal consultation letters were sent to seven tribes and tribal councils on August 7, 2012 (page 5-1, Section 5.1 of the EA). No comments were received. There was also a 15-day public comment period on the preliminary EA, during which time no comments were received. Based on the lack of comments, the effects from this project on the quality of the human environment are not considered highly controversial.

5) The degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risks:

The effects of gold exploration activities are well known in the area based on previous and ongoing exploration activities. No highly uncertain or unknown risks to the human environment were identified during analysis of the Proposed Action.

- 6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration:

The Proposed Action neither establishes a precedent for future BLM actions with significant effects nor represents a decision in principle about a future consideration. Additional NEPA analysis particular to this area would be on an individual, site-specific basis.

- 7) Whether the action is related to other actions with individually insignificant, but cumulatively significant impacts:

Past, present, and reasonably foreseeable actions that would affect the resources analyzed in the EA include exploration and mining operations, a wildcat oil well, scattered transmission lines, geothermal projects, livestock grazing, road development, vegetation restoration projects, and a wild horse gather for the Pancake Complex. These cumulative actions are listed on pages 4-2, 4-3, and 4-4 in Section 4.2 of the EA.

Resource-specific cumulative impacts from the Proposed Action are described in Section 4.3 of the EA, beginning on page 4-4. As described in this section, at least portions of the total 125 acres of surface disturbance would be temporally removed from some or all of the reasonably foreseeable future actions, reducing cumulative impacts. In addition, ACEPMs described in Section 2.2.13 of the EA and best management practices described throughout the EA would further reduce cumulative impacts.

- 8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources:

There are 20 identified sites eligible for nomination to the National Register of Historic Places within the project area. Surface and subsurface physical disturbance would occur under the Proposed Action, which could result in damage or destruction to cultural resource sites. However, the implementation of cultural resource ACEPMs, as described on page 2-10 of the EA, would prevent direct impacts to cultural resources. All previously identified NRHP-eligible sites would be avoided by project activities, such that no direct impacts would occur to them. Additional ACEPMs described on page 2-10 in Section 2.2.13 would apply to each subsequent phase of exploration, to new cultural discoveries, and in special cases as determined by the BLM to avoid cultural resources close to where mineral activities would occur.

- 9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (ESA) of 1973:

There would be no significant impacts to federally-listed threatened and endangered wildlife species because no such species are found in the project area. One candidate species for listing under the ESA, the Greater Sage-grouse (*Centrocercus urophasianus*), has the potential to occur in the project area. A number of federal or state sensitive or protected species also have the potential to occur in the project area. All wildlife special-status species with the potential to occur in the project area are described in Table 3-9 on pages 3-33, 3-34, and 3-35 of the EA.

Impacts as a result of the Proposed Action would be similar for all wildlife encountered in the project area and would generally consist of temporary habitat loss, disturbance from human activity and noise, and individual injury or mortality from vehicular collisions, or drowning in sumps. Wildlife habitat fragmentation would be unlikely to occur because Midway's phasing and ongoing reclamation would minimize the total acreage of disturbance and open roads.

Impacts to wildlife would be minimized by implementation of the ACEPMs proposed in Table 2-2 on pages 2-13 and 2-14 of the EA. These ACEPMs include traffic speed limit controls, protection of active raptor and migratory bird nests, activity restrictions to protect particular species such as the Greater Sage-grouse and pygmy rabbit, and vegetation removal and reclamation requirements.

Additional specific mitigation measures for wildlife/special status species are described on pages 3-74, 3-75, and 3-76 of the EA. For sage-grouse, these measures consist of installing sage-grouse safe fencing and netting around sumps, reducing vehicle speeds to 15 miles per hour within 0.5 mile of sage-grouse leks, and increasing the ½ mile buffer of no surface use to a 2 mile buffer from 1 hour before sunrise to 3 hours after sunrise during the period March 1 through May 15 as specified on page 3-75 of the EA. In addition, off-site mitigation will be completed to compensate for the disturbance of confirmed Sage-grouse priority habitat (page 3-75, Section 3.3.1 of the EA).

10) Whether the action threatens a violation of Federal, State, local or tribal law or requirements imposed for the protection of the environment:

This action is consistent with federal, state, local, and tribal laws and other requirements for the protection of the environment (page 1-4, Section 1.7 of the EA). All agencies were properly notified of the Proposed Action (page 5-1, Section 5.1 of the EA).

Finding of No Significant Impact

I have determined that, with the incorporation of the mitigation measures listed on pages 3-74, 3-75, and 3-76 and in Appendix B of the EA that the Proposed Action would not significantly affect the quality of the human environment and that preparation of an Environmental Impact Statement (EIS) is not required.



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11/15/12

Date